

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J. David Brown et al.

Title: BYPASS FOR GLAUCOMA DRAINAGE DEVICE

Docket No.: 600.592US1

Filed: September 16, 2003

Examiner: Unknown

Serial No.: 10/664,409

Due Date: N/A

Group Art Unit: 3763



Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450


Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

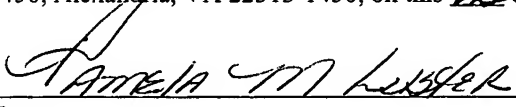
- ☒ A return postcard.
- ☒ A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and copies of 3 cited documents.
- ☒ The International Search Report from International Application No. PCT/US2004/004073 (5 pgs.).

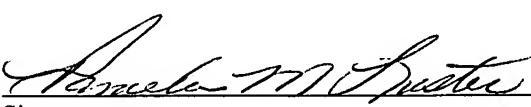
Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

By: 
Atty: David W. Black
Reg. No. 42,331

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22 day of August, 2004.


Name


Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)

S/N 10/664,409



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|-------------------------------------|-----------------|------------|
| Applicant: | J. David Brown et al. | Examiner: | Unknown |
| Serial No.: | 10/664,409 | Group Art Unit: | 3763 |
| Filed: | September 16, 2003 | Docket: | 600.592US1 |
| Title: | BYPASS FOR GLAUCOMA DRAINAGE DEVICE | | |

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

The attached documents were discovered as a result of a Search Report in Applicants' corresponding foreign patent application. Enclosed for the Examiner's information is a copy of the cited documents and the Search Report.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.


The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,

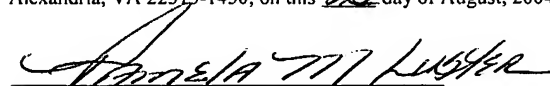
J. DAVID BROWN ET AL.

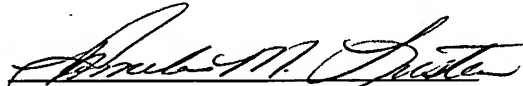
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6911

Date August 23, 2004 By 
David W. Black
Reg. No. 42,331

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23 day of August, 2004.

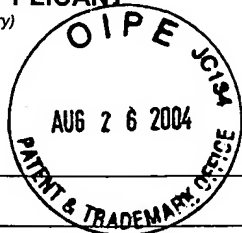

Name


Signature

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number 10/664,409

Filing Date September 16, 2003

First Named Inventor Brown, J.

Group Art Unit 3763

Examiner Name Unknown

Sheet 1 of 1

Attorney Docket No: 600.592US1

US PATENT DOCUMENTS

| Examiner Initial * | USP Document Number | Publication Date | Name of Patentee or Applicant of cited Document | Class | Subclass | Filing Date If Appropriate |
|--------------------|---------------------|------------------|---|-------|----------|----------------------------|
| | 2002/0169468A1 | 11/14/2002 | Brown, J. D. | 606 | 161 | 01/09/2001 |
| | US-5,071,408 | 12/10/1991 | Ahmed, A. M. | 606 | 108 | 02/12/1990 |
| | US-5,300,020 | 04/05/1994 | L'Esperance Jr., F. A. | 604 | 9 | 09/30/1992 |
| | US-6,186,974 | 02/13/2001 | Allan, B. D., et al. | 604 | 30 | 08/16/1999 |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Foreign Document No | Publication Date | Name of Patentee or Applicant of cited Document | Class | Subclass | T ² |
|--------------------|--------------------------------------|------------------|---|-------|----------|----------------|
| | JP-2001-142539 (English Abstract) | 05/25/2001 | Yanagihara, S. | G05D | 7/01 | |
| | WO 00/72788A1 | 12/07/2000 | Yaron, I. , et al. | A61F | 9/007 | |
| | WO 01/78656A2 | 10/25/2001 | Hill, R. A. | A61K | | |

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|--------------------|----------------------|---|----------------|
|--------------------|----------------------|---|----------------|

EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional) ² Applicant is to place a check mark here if English language Translation is attached